

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

MARIA CLARA SERNA THERAN,

Defendant.

**Affirmation in Support of
Application for Order of
Continuance**

24 Mag. 1055

State of New York)
County of New York : ss.:
Southern District of New York)

Varun A. Gumaste, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the Office of Damian Williams, United States Attorney for the Southern District of New York. I submit this affirmation in support of an application for an order of continuance of the time within which a preliminary hearing would have to be conducted or an indictment or information would have to be filed, pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure and 18 U.S.C. § 3161(h)(7)(A).

2. The defendant was charged in a complaint dated March 13, 2024, with violations of 18 U.S.C. §§ 844(e) and 1038(a)(1). The defendant was arrested on March 14, 2024, and was presented in this District before Magistrate Judge Stewart D. Aaron on that same date, at which proceeding the defendant was represented by Andrew Dalack, Esq., and ordered released on bail with certain conditions.

3. At the presentment on March 14, 2024, a preliminary hearing was scheduled for April 15, 2024, after defense counsel consented to extend the deadline within which to conduct a

preliminary hearing. Under the Speedy Trial Act, the Government has until April 13, 2024 within which to file an indictment or information. *See 18 U.S.C. § 3161(b).*

4. Defense counsel and I have had discussions regarding a possible disposition of this case. The parties plan to continue our discussions, but do not anticipate a resolution before April 13, 2024.

6. Therefore, the Government requests a 30-day continuance until May 13, 2024, to continue the foregoing discussions toward resolving this matter. On April 8, 2024, I personally corresponded with defense counsel, who stated that the defendant consents to an extension of the preliminary hearing and Speedy Trial Act deadlines to May 13, 2024, and has specifically consented to this request.

7. For the reasons stated above, good cause supports the extension of the preliminary hearing deadline, and the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and defendant in a speedy trial.

Dated: New York, New York
April 8, 2024



Varun A. Gumaste
Assistant United States Attorney
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